

**CALIFORNIA COMMISSION ON TEACHER CREDENTIALING**

1900 Capitol Avenue

Sacramento, California 95814

Certification, Assignment and Waivers Division

(916) 445-7254 Web Site: <http://www.ctc.ca.gov>E-Mail: [credentials@ctc.ca.gov](mailto:credentials@ctc.ca.gov)

OFFICE OF THE EXECUTIVE DIRECTOR

99-9905

DATE: March 9, 1999

TO: All Individuals and Groups Interested in the Activities of the  
Commission on Teacher CredentialingFROM: Sam W. Swofford, Ed.D.  
Executive DirectorSUBJECT: Proposed Amendments to Title 5 Regulations §80071 Related to  
Examination Score Validity**Notice of Public Hearing is Hereby Given:**

In accordance with Commission policy, proposed Title 5 Regulations are being distributed prior to the public hearing. A copy of the proposed regulations is attached. The added text is underlined, while the ~~deleted~~ text is lined-through. The public hearing is scheduled on:

May 6, 1999

1:30 p.m.

California Commission on Teacher Credentialing

1900 Capitol Avenue

Sacramento, California 95814

**Statement of Reasons**

Title 5 Regulations §80071 was last updated in 1981. It maintains that passing examination scores are applicable toward certification if the credential is granted within five years of the date the test was passed. This was implemented at a time when relatively few examinations were used toward certification and all but one examination had a single passing score. Since then, the number of examinations used to satisfy certification requirements has increased and many examinations have multiple passing score requirements. Due to these changes, the wording in §80071 no

longer clearly addresses all concerns regarding the length of validity for examination scores used to satisfy credential requirements.

The Article Title

In the proposal, Article 3 has been re-titled to reflect the changes that have occurred over the years. The proposed title reflects the numerous exam-related regulations found in this article, and, with the addition of the credential waiver structure in 1994, the re-naming of the *examination waivers* to *subject matter programs*.

§80071(a)

This proposal would make the following changes to this subsection.

1. The indecisive term "elects" would be replaced with "seeks" to make the sentence more direct.
2. The addition of "certificate, permit, or waiver" clarifies that this subsection applies to any examination regardless of the type of document requested.
3. Within the first sentence, "on academic achievement and/or proficiency examinations approved by the Commission" has been removed because it adds no new information and makes the sentence difficult to read.
4. The proposal will remove the next to the last sentence because part of it is redundant and the remainder is re-worded elsewhere. It states that the Commission sets the passing score requirements and that the passing score requirements are those in effect for the year the exam was taken. The first sentence in this subsection now addresses both issues.
5. The last sentence is unnecessary because the basic premise of this regulation is that the examination is used or "processed" at the point when the document requiring the examination is granted.

§80071(b)

With regard to examinations that have multiple passing score requirements, the current wording in §80071 does not clearly specify if the five-year limit pertains to each required score or to the examination in its entirety. The proposed regulation would apply the five-year limit to *each* score required for the examination. As an example, the Multiple Subjects Assessment for Teachers (MSAT) is one of the examinations with a multiple passing score requirement. The MSAT has three passing score requirements: 1) a score of at least 148 on the Content Knowledge section, 2) a score of at least 147 on the Content Area Exercise section, and 3) a total score of at least 311. In this proposal, an individual who meets the passing score requirement for, say, the Content Area Exercise section must then meet the passing score requirements for the Content Knowledge section and the total score plus apply for the credential within five years of the Content Area Exercise passing date. This is the interpretation used by the

Commission, and, more importantly, it establishes the individual's *current* subject matter knowledge.

§80071(c)

The proposal adds consistency between the treatment of the Reading Instruction Competence Assessment (RICA) Video Performance Assessment and the RICA Written Examination so, even though the former is not labeled an "examination" in Education Code §44283, the five-year limit still applies.

§80071(d)

The addition of (d) places current policy into regulations by clarifying that the five-year limit does not apply to examination scores that have been previously used for certification. An example would be MSAT scores used to apply for an internship Multiple Subject Teaching Credential and then, several years later, used again to apply for a professional clear Multiple Subject Teaching Credential.

§80071(e)

Subsection (e) is added for clarification. The specific examinations listed in this section have traditionally been unaffected by the five-year limit. Requirements such as knowledge of the United States Constitution and experience learning a second language for the Crosscultural, Language and Academic Development Certificate do not represent knowledge of subject matter that educators must teach to their students. Additionally, units granted by an institution based on an examination, such as the College-Level Examination Program or Advanced Placement, have traditionally been given the same status as units granted based on actual coursework. They are also used to satisfy course requirements, rather than examination requirements, for certification such as supplementary authorizations and child development permits.

**Documents Relied Upon in Preparing Regulations**

None.

**Documents Incorporated by Reference**

None.

**Written Comment Period**

Any interested person, or his or her authorized representative, may submit written comments on the proposed actions. The written comment period closes at 5:00 p.m. on May 5, 1999.

Any written comments received 14 days prior to the public hearing will be reproduced by the Commission's staff for each Commissioner as a courtesy to the person submitting the comments and will be included in the written agenda prepared for and presented to the full Commission at the hearing.

### **Submission of Written Comments**

A response form is attached for your use when submitting written comments to the Commission. Please send it to the Commission, attention Executive Office, at 1900 Capitol Avenue, Sacramento, CA 95814, so it is received at least one day prior to the date of the public hearing.

### **Public Hearing**

Oral comments on the proposed action will be taken at the public hearing. We would appreciate 14 days advance notice in order to schedule sufficient time on the agenda for all speakers. Please contact Yvonne Novelli at (916)445-5865 regarding this.

Any person wishing to submit written comments at the public hearing may do so. It is requested, but not required, that persons submitting such comments provide fifty copies to be distributed to the Commissioners and interested members of the public. All written statements submitted at the hearing will, however, be given full consideration regardless of the number of copies submitted.

### **Modification of Proposed Actions**

If the Commission proposes to modify the actions hereby proposed, the modifications (other than non-substantial or solely grammatical modifications) will be made available for public comment for at least 15 days before they are adopted.

### **Contact Person/Further Information**

Inquiries concerning the proposed action may be directed to Yvonne Novelli, at (916) 445-5865. Upon request, a copy of the express terms of the proposed action and a copy of the initial statement of reasons will be made available. In addition, all the information on which this proposal is based is available for inspection and copying.

### **Attachments**

Division VIII of Title 5 of the California Code of Regulations

Proposed Amendments to Title 5 Regulations §80071  
Related to Examination Score Validity

INITIAL PROPOSED REGULATIONS

**Article 3. ~~Subject Matter~~ Examinations and ~~Examination Waivers~~ Subject Matter Programs**

**80071. Qualification by Examination for Issuance of Credential**

- (a) Every applicant who ~~elects~~ seeks to ~~qualify for issuance of~~ satisfy a credential, certificate, permit, or waiver requirement by examination ~~shall be required to~~ must meet ~~the~~ the passing score requirements(s) established by the Commission ~~on~~ an academic achievement and/or proficiency examinations approved by the Commission ~~that were in effect at the time the examination was taken.~~ A list of the adopted examinations and passing scores requirements will be made available upon request to the Commission. ~~The standard applicable to an examination score is the standard established by the Commission for the year during which the examination is taken. Passing scores shall be processed by the Commission at the time of application for a credential requiring such examination.~~
- (b) ~~Scores will be usable for certification purposes for a period of five years from the date the test was taken, provided the individual's passing test score met or exceeded the passing score standard in effect at the time the test was taken. For each examination score used to satisfy a requirement for the issuance of a credential, certificate, permit, or waiver, there can be no more than five years between (1) the date the score was earned and (2) the issuance date of the credential, certificate, permit, or waiver for which the examination score is used.~~
- (c) ~~For purposes of this section, the Video Performance Assessment of the Reading Instruction Competence Assessment, described in Education Code §44283, is considered an examination.~~
- (d) ~~Once an examination score has been used to satisfy a California certification requirement, it may be used to satisfy a requirement of another certification document regardless of the five-year limit described in subsection (b) if the score satisfies the passing score requirement for the new document.~~
- (e) ~~The five-year limit described in subsection (b) shall not apply to scores on examinations used to 1) verify knowledge of the Constitution of the United States, as specified in Education Code §44335; 2) grant credit by an institution of higher education; or 3) verify experience learning a second language required for the Crosscultural, Language and Academic Development Certificate, as specified in Section 80015 of the Title 5 Regulations. The five-year limit on scores described in subsection (b) shall not apply to any examination that is exempt from this requirement by statute or regulation.~~

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NOTE: Authority cited: Sections 44225(q), and 44252, Education Code. Reference: Sections 44225(d), 44252, 44253.3, 44280, 44283, and 44289, and 44335, Education Code. (Filed 4-17-81; effective thirtieth day thereafter; Register 81, No. 16).

STATE OF CALIFORNIA

GRAY DAVIS, Governor

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OFFICE OF THE EXECUTIVE DIRECTOR

Attn.: Sam Swofford, Ed.D.  
Executive Director

Title: Examination Score Validity  
Section No.: §80071

**Response to the Attached Title 5 Regulations**

So that the Commission on Teacher Credentialing can more clearly estimate the general field response to the attached Title 5 regulations, please return this response form to the Commission, attention Executive Office, at the above address by 5:00 p.m. on May 5, 1999, in order that the material can be presented at the May 6, 1999 public hearing.

1. ☐ **Yes**, I agree with the proposed Title 5 regulations. Please count me in favor of these regulations.
2. ☐ **No**, I do not agree with the proposed Title 5 Regulations for the following reasons: (If additional space is needed, use the reverse side of this sheet.)
3. ☐ Personal opinion of the undersigned. and/or
4. ☐ Organizational opinion representing: \_\_\_\_\_  
(Circle One) School District, County Schools, College, University, Professional Organization, Other
5. ☐ I shall be at the public hearing, place my name on the list for making a presentation to the Commission.
6. ☐ No, I will not make a presentation to the Commission at the public hearing.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_ Phone: \_\_\_\_\_

Employer/Organization: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

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